

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
(EASTERN DIVISION)

Docket No. 05-CV-10464PBS

TIMOTHY M. BROWDER,
Plaintiff

v.

NATIONAL FINANCIAL SYSTEMS,
INC.,
Defendant

**NATIONAL FINANCIAL SYSTEMS, INC. MOTION FOR AN EXTENSION TO FILE
OPPOSITION TO MOTION FOR CLASS CERTIFICATION**

Defendant NATIONAL FINANCIAL SYSTEMS, INC. (“NFS”) by and through its attorneys hereby moves this Court for an extension of time to March 7, 2006 to file its opposition to Plaintiff Timothy M. Browder’s Motion for Class Certification. In support thereof, NFS states as follows:

1. Pursuant to this Court’s June 15, 2005 Scheduling Order, Plaintiff was to file his motion for class certification by January 22, 2006. (Exhibit A.)
2. However, Plaintiff moved for a thirty day extension of time to file his motion for class certification, which this Court granted. (Exhibit B.)
3. Thus, Plaintiff filed his motion for class certification on February 14, 2006.
4. Pursuant to Local Rule 7.1(b)(2), NFS has fourteen days to submit its opposition to Plaintiff’s motion for class certification.
5. NFS respectfully requests an additional seven days to March 7, 2006 to file its opposition to Plaintiff’s motion for class certification.

6. Counsel for NFS has preexisting travel plans that will prevent him from finalizing NFS' opposition to Plaintiff's motion for class certification within fourteen days.

7. The parties have engaged in settlement discussions in January and February of this year.

8. Granting NFS a seven day extension of time to file its opposition to Plaintiff's motion for class certification will not interfere with the hearing this Court previously set for March 8, 2006.

9. Plaintiff's counsel does not have an objection to this motion.

WHEREFORE, Defendant NATIONAL FINANCIAL SYSTEMS, INC. respectfully requests that this Court enter an order granting a seven day extension to March 7, 2006 for NFS to file its opposition to Plaintiff's motion for class certification.

Respectfully submitted,

NATIONAL FINANCIAL SYSTEMS INC.

By: s/Michael G. Salemi
One of Its Attorneys

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LOCAL RULE 7.1 CERTIFICATION

Pursuant to Local Rule 7.1, the undersigned attorney hereby certifies that he conferred in good faith with counsel for Timothy M. Browder to resolve or narrow the issues presented by this motion. Plaintiff's counsel does not object to the filing of this motion.

s/ Michael G. Salemi
Michael G. Salemi

CERTIFICATE OF SERVICE

I Michael G. Salemi, Esquire of Lord, Bissell & Brook LLP, hereby certify that a true copy of the above Motion for an Extension to File an Opposition to Plaintiff's Motion for Class Certification was served upon the attorney of record for each other party at the addresses below by mail on February 24, 2006.

Daniel A. Edelman, Esquire
Francis R. Greene, Esquire
Edelman, Combs, Lattuner & Goodwin, LLC
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EXHIBIT A

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

Timothy Browder
Plaintiff,

V.

National Financial Systems, Inc.
Defendant.

Civil Action Number
05-10464-PBS-PBS

June 15, 2005

SCHEDULING ORDER

Saris, D.J.,

Class and Fact Discovery deadline: 12/15/05

Plaintiff's expert designation deadline: 1/15/06

Defendant's expert designation deadline: 2/15/06

Expert discovery deadline: 3/15/06

Class Certification Motion filing deadline: 1/22/06

Hearing on Class Certification: 3/8/06 at 2:00 p.m.

Summary Judgment Motion filing deadline: 4/15/06

Opposition to Summary Judgment Motions: 4/30/06

Hearing on Summary Judgment or Pretrial Conference: 5/10/06 at 2:00 p.m.

Case to be referred to Mediation program: Winter, 2005

By the Court,

/s/ Robert C. Alba
Deputy Clerk

EXHIBIT B

Salemi, Michael

From: ECFnotice@mad.uscourts.gov
Sent: Wednesday, January 25, 2006 1:01 PM
To: CourtCopy@mad.uscourts.gov
Subject: Activity in Case 1:05-cv-10464-PBS Browder v. National Financial Systems, Inc. "Order on Motion for Extension of Time"

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United States District Court

District of Massachusetts

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The following transaction was received from Patch, Christine entered on 1/25/2006 at 2:00 PM EST and filed on 1/23/2006

Case Name: Browder v. National Financial Systems, Inc.

Case Number: [1:05-cv-10464](#)

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Document Number:

Docket Text:

Judge Patti B. Saris : Electronic ORDER entered granting [28] Motion for Extension of Time to File Class Certification Motion. "This is the last extension." (Patch, Christine)

The following document(s) are associated with this transaction:

1:05-cv-10464 Notice will be electronically mailed to:

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